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(Date of Transmission

Name of applicant, assignee or registered representative

Signature _____

Date of Signature

Applicant petitions for a ruling that this case is not in fact abandoned.

The PTO issued a notice of abandonment dated November 29, 2005 indicating that Applicant did not timely pay the publication fee. However, Applicant did, in fact timely pay the publication fee.

Attached hereto is a copy (Exhibit A) of the transmittal form filed with the issue fee payment of September 27, 2005 indicating that the Commissioner was authorized to charge any fees which may be required to deposit account 50-1713. A duplicate copy of the sheet was also filed. A copy of the OIPE stamped transmittal form is also attached as Exhibit B, and the complete package filed on September 27, 2005 (including the 5 pages faxed to the PTO with the auto-reply facsimile transmission indicating 5 pages received) is attached as Exhibit C.

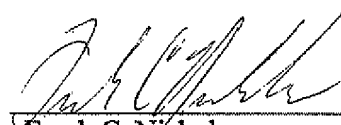
Therefore, Applicant did in fact timely authorize the Commissioner to charge the publication fee at the same time as the issue fee. Thus, the holding of abandonment is a PTO mistake.

Applicant requests a holding that this case is not abandoned, and has never been abandoned. Applicant requests that the case then proceed to issuance with all due haste.

Respectfully submitted,

Dated: February 27, 2006

CARDINAL LAW GROUP
Suite 2000
1603 Orrington Avenue
Evanston, Illinois 60201
Phone: (847) 905-7111
Fax: (847) 905-7113



Frank C. Nicholas
Registration No. 33,983
Attorney for Applicant

| | | |
|---|----------------------|-------------------|
| <h1 style="text-align: center;">TRANSMITTAL FORM</h1> <p style="text-align: center;">(to be used for all correspondence after initial filing)</p> | Attorney Docket No. | 7780/16 (P-00303) |
| | Application Number | 10/005,391 |
| | Filing Date | DECEMBER 5, 2001 |
| | First Named Inventor | RODNEY E. NORWOOD |
| | Group Art Unit | 3635 |
| | Examiner | GREEN, C. M. |

| ENCLOSURES (check all that apply) | | |
|---|--|---|
| <input type="checkbox"/> Amendment <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Status Letter <input type="checkbox"/> Extension of Time Request (duplic) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Supplemental Information Disclosure Statement, PTO-1449, art <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | <input type="checkbox"/> Assignment Papers <input type="checkbox"/> Drawings: <input checked="" type="checkbox"/> PART B - ISSUE FEE TRANSMITTAL <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request of Refund | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Brief <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Post Card Receipt <input type="checkbox"/> Additional Enclosure(s) (please identify below): <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-1713 (Cardinal Law Group). A duplicate copy of this sheet is enclosed. | | |
| <input checked="" type="checkbox"/> I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 50-1713 (Cardinal Law Group). A duplicate copy of this sheet is enclosed. | | |

CALCULATION OF FEE

| | | | | | Small Entity | | Large Entity | |
|---|------------------------|-------|---------------------------------|---------------|-----------------|-----------|-----------------|-----------|
| | Claims After Amendment | | Highest No. Previously Paid For | Present Extra | Rate | Add'l Fee | Rate | Add'l Fee |
| Total | | Minus | | 0 | x \$25= | 0 | x \$50= | |
| Indep. | | Minus | | 0 | x \$100= | 0 | x \$200= | |
| First Presentation of Multiple Dep. Claim | | | | | + \$180= | --- | + \$360= | |
| | | | | | total add'l fee | \$ 0 | total add'l fee | \$ 0 |


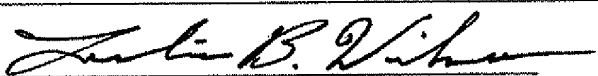
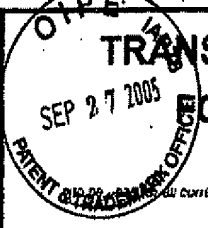
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--|--|-------|--------------------|
| Firm or Individual name | LESLIE B. WILSON Registration No. 33,816 CARDINAL LAW GROUP 1603 Orrington Avenue, Suite 2000 Evanston, IL 60201 | | |
| Signature |  | Date | September 27, 2005 |
| CERTIFICATE OF FACSIMILE | | | |
| I hereby certify that this correspondence is being transmitted via facsimile to (571) 273-2885 to the U.S. Patent and Trademark Office on this date: | | | September 27, 2005 |
| Signature |  | Date: | September 27, 2005 |
| LESLIE B. WILSON (33,816) | | | |

Exhibit A

PTO/SB/21 (12/07) Approved for use through 02/2006. Check 0661 0001. Please use Transmittal Form. U.S. DEPARTMENT OF COMMERCE
Under the Patent Reduction Act of 1980, this form is required to be filed in a connection with the filing of a patent application.

| | | |
|---|----------------------|-------------------|
|  | Attorney Docket No. | 7780/16 (P-00303) |
| | Application Number | 10/005,391 |
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| <input type="checkbox"/> Amendment | <input type="checkbox"/> Assignment Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Drawings: | <input type="checkbox"/> Appeal Brief |
| <input type="checkbox"/> Affidavits/declaration(s) | <input checked="" type="checkbox"/> PART B - ISSUE FEE TRANSMITTAL | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Status Letter | <input type="checkbox"/> Petition Raising Slip (PTO/SB/69) and Accompanying Petition | <input type="checkbox"/> Post Card Receipt |
| <input type="checkbox"/> Extension of Time Request (dupl.) | <input type="checkbox"/> To Convert a Provisional Application | <input type="checkbox"/> Additional Enclosure(s) (please identify below) |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Change of Correspondence Address | <input type="checkbox"/> |
| <input type="checkbox"/> Supplemental Information Disclosure Statement, PTO-1449, att | <input type="checkbox"/> Terminal Disclaimer | <input type="checkbox"/> |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> Small Entity Statement | <input type="checkbox"/> |
| <input type="checkbox"/> Response to Missing Parts/ incomplete Application | <input type="checkbox"/> Request of Refund | <input type="checkbox"/> |
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| Total | Minus | | 0 | x \$25= | 0 | x \$50= | |
| Indep | Minus | | 0 | x \$100= | 0 | x \$200= | |
| First Presentation of Multiple Dep. Claim | | | | + \$180= | | + \$360= | |
| | | | | Total add'l fee | | Total add'l fee | |
| | | | | \$ 0 | | \$ 0 | |



| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--|--|--------------------|--------------------|
| Firm or Individual name | LESLIE B. WILSON Registration No. 33,818 CARDINAL LAW GROUP 1803 Orrington Avenue, Suite 2000 Evanston, IL 60201 | | |
| Signature |  | Date | September 27, 2005 |
| CERTIFICATE OF FACSIMILE | | | |
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| | | September 27, 2005 | |
| Signature |  | Date: | September 27, 2005 |
| LESLIE B. WILSON (33,818) | | | |

Exhibit B

Auto-Reply Facsimile Transmission



TO: Fax Sender at +18479057113

Fax Information
Date Received: 9/27/2005 4:52:56 PM [Eastern Daylight Time]
Total Pages: 5 (including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMEP) section 306 et seq.

Received
Cover
Page

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| SEP-27-05 03:56PM FROM:OLG FAX | +18479057113 | T-678 P 01/05 F-618 |
| <u>OFFICIAL</u> | | |
| <u>CARDINAL LAW GROUP</u> | | |
| 1603 Orrington Avenue/Suite 2000 Evanston, Illinois 60201 Telephone 847 - 905 - 7111 Facsimile 847 - 905 - 7113 | | |
| Date: | SEPTEMBER 27, 2005 | |
| To: | U.S. PATENT AND TRADEMARK OFFICE ISSUE FEE | |
| Fax #: | (571) 273-2885 | |
| From: | LESLIE B. WILSON | |
| Phone: | (847) 905-7111 | |
| Client/Matter No.: | 7786/16 (P-00363) | |
| # of Pages: | 5 | |
| | (including cover sheet) | |
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| PAGE 16 * RCVD AT 9/27/2005 4:52:56 PM [Eastern Daylight Time] * SVR:USPTO-EPXRF-438 * DNS:2732885 * CSD:+18479057113 * DURATION (mm:ss):02:45 | | |

Exhibit C

MEMORY TRANSMISSION REPORT

TIME : SEP-27-05 03:57PM
TEL NUMBER1: +18479057113
TEL NUMBER2:
NAME : CLG FAX

FILE NUMBER : 610
DATE : SEP-27 03:55PM
TO : 15712732885
DOCUMENT PAGES : 05
START TIME : SEP-27 03:55PM
END TIME : SEP-27 03:57PM
SENT PAGES : 05

FILE NUMBER : 610

*** SUCCESSFUL TX NOTICE ***

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CARDINAL LAW GROUP

1603 Orrington Avenue/Suite 2000
Evanston, Illinois 60201
Telephone 847 - 905 - 7111
Facsimile 847 - 905 - 7113

Date: SEPTEMBER 27, 2005
To: U.S. PATENT AND TRADEMARK OFFICE
ISSUE FEE
Fax #: (571) 273-2885
From: LESLIE B. WILSON
Phone: (847) 905-7111
Client/Matter No.: 7780/16 (P-00303)
of Pages: 5
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

| | |
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| Application Number | 10/005,391 |
| Filing Date | DECEMBER 5, 2001 |
| First Named Inventor | RODNEY E. NORWOOD |
| Group Art Unit | 3635 |
| Examiner | GREEN, C. M. |


ENCLOSURES (check all that apply)

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| <input type="checkbox"/> Amendment | <input type="checkbox"/> Assignment Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Drawings: | <input type="checkbox"/> Appeal Brief |
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| <input type="checkbox"/> Status Letter | <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition | <input type="checkbox"/> Post Card Receipt |
| <input type="checkbox"/> Extension of Time Request (duplic) | <input type="checkbox"/> To Convert a Provisional Application | <input type="checkbox"/> Additional Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Change of Correspondence Address | <input type="checkbox"/> |
| <input type="checkbox"/> Supplemental Information Disclosure Statement, PTO-1449, art | <input type="checkbox"/> Terminal Disclaimer | <input type="checkbox"/> |
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| <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-1713 (Cardinal Law Group). A duplicate copy of this sheet is enclosed. | | |
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CALCULATION OF FEE

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|---|------------------------|---------------------------------|---------------|-----------------|-----------|-----------------|-----------|
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| Total | Minus | | 0 | x \$25= | 0 | x \$50= | |
| Indep. | Minus | | 0 | x \$100= | 0 | x \$200= | |
| First Presentation of Multiple Dep. Claim | | | | +\$180= | --- | +\$360= | |
| | | | | total add'l fee | \$ 0 | total add'l fee | \$ 0 |


SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|-------------------------|--|------|--------------------|
| Firm or Individual name | LESLIE B. WILSON Registration No. 33,816 CARDINAL LAW GROUP 1603 Orrington Avenue, Suite 2000 Evanston, IL 60201 | | |
| Signature |  | Date | September 27, 2005 |

CERTIFICATE OF FACSIMILE

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September 27, 2005



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|-----------|--|-------|--------------------|
| Signature |  LESLIE B. WILSON (33,816) | Date: | September 27, 2005 |
|-----------|--|-------|--------------------|

| | | |
|---|----------------------|-------------------|
| <h1 style="text-align: center;">TRANSMITTAL FORM</h1> <p style="text-align: center;">(to be used for all correspondence after initial filing)</p> | Attorney Docket No. | 7780/16 (P-00303) |
| | Application Number | 10/005,391 |
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| | First Named Inventor | RODNEY E. NORWOOD |
| | Group Art Unit | 3635 |
| | Examiner | GREEN, C. M. |

| ENCLOSURES (check all that apply) | | |
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| Total | | Minus | | 0 | x \$25= | 0 | | x \$50= | |
| Indep. | | Minus | | 0 | x \$100= | 0 | | x \$200= | |
| First Presentation of Multiple Dep. Claim | | | | | +\$180= | --- | | +\$360= | |
| | | | | | total add'l fee | \$ 0 | | total add'l fee | \$ 0 |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--|--|--------------------|--------------------------|
| Firm or Individual name | LESLIE B. WILSON Registration No. 33,816 CARDINAL LAW GROUP 1603 Orrington Avenue, Suite 2000 Evanston, IL 60201 | | |
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| | | September 27, 2005 | |
| Signature |  LESLIE B. WILSON (33,816) | | Date: September 27, 2005 |

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 or Fax (571) 273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT (CORRESPONDENCE) ADDRESS (Note: Use Block 1 for any change of address)

7590

07/15/2005

Frank C. Nicholas
 CARDINAL LAW GROUP
 1603 Orrington Avenue, Suite 2000
 Evanston, IL 60201


Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

LESLIE B. WILSON

(Depositor's name)



(Signature)

SEPTEMBER 27, 2005

(Date)

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/005.391 | 12/03/2001 | Rodney Earl Norwood | 7780/16 (P-00303) | 6990 |

TITLE OF INVENTION: MOBILE CELLULAR TELEPHONE TOWER

| APPLX. TYPE | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|--------------|-----------|-----------------|------------------|------------|
| nonprovisional | NO | \$1400 | \$300 | \$1700 | 10/17/2005 |

| EXAMINER | ART UNIT | CLASS-SUBCLASS |
|----------------------|----------|----------------|
| GREEN, CHRISTY MARIE | 3635 | 052-118000 |

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

- 1 _____
- 2 CARDINAL LAW GROUP
- 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

SBC TECHNOLOGY RESOURCES, INC.

AUSTIN, TEXAS

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-1713 (enclose an extra copy of this form).

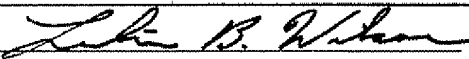
5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.
- ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Date SEPTEMBER 27, 2005

Typed or printed name

LESLIE B. WILSON

Registration No. 33,816

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PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571) 273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

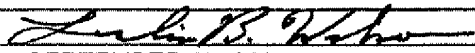
7590

07/15/2005

Frank C. Nicholas
 CARDINAL LAW GROUP
 1603 Orrington Avenue, Suite 2000
 Evanston, IL 60201

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

| | |
|--|--------------------|
| LESLIE B. WILSON | (Depositor's name) |
|  | (Signature) |
| SEPTEMBER 27, 2005 | (Date) |

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/005,391 | 12/05/2001 | Rodney Earl Norwood | 7780/16 (P-00303) | 6990 |

TITLE OF INVENTION: MOBILE CELLULAR TELEPHONE TOWER

| APPLN TYPE | SMALL ENTITY | ISSUE FEE | PUBLICATION FEE | TOTAL FEE(S) DUE | DATE DUE |
|----------------|--------------|-----------|-----------------|------------------|------------|
| nonprovisional | NO | \$1400 | \$300 | \$1700 | 10/17/2005 |

| EXAMINER | ART UNIT | CLASS-SUBCLASS |
|----------------------|----------|----------------|
| GREEN, CHRISTY MARIE | 3635 | 052-118000 |

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).
- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list
- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.
- 1 _____
- 2 CARDINAL LAW GROUP
- 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

SBC TECHNOLOGY RESOURCES, INC.

AUSTIN, TEXAS

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee
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- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-1713 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

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Authorized Signature 

Date SEPTEMBER 27, 2005

Typed or printed name LESLIE B. WILSON

Registration No. 33,816

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